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|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/647,042 | OKUBO, TOSHIYUKI | |
| | Examiner | Art Unit | |
| | Pritham Prabhakher | 2622 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/17/2007.
2. ☒ The allowed claim(s) is/are 1, 7, 15, 21 and 30-33.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>09/13/2004</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

Claims 1,7,15, 21 and 30-33 are allowed.

The following is an examiner's statement of reasons for allowance:

In regard to independent **Claim 1**, the closest prior art of record fails to teach or disclose *"A method of controlling an image sensing apparatus, which has an image sensor, a flash light used to illuminate an object with light, and an image sensing instruction unit, comprising: storing a first image sensed by the image sensor in a storage device; sensing a second image by the image sensor while causing the flash light to emit light in response to an image sensing designation by the image sensing instruction unit; calculating a brightness of the first image and a brightness of the second image; calculating a color temperature of light illuminated when sensing the second image on the basis of color temperature of external light illuminated when sensing the first image, the brightness of the first image and the brightness of the second image; performing white balance processing for the second image on the basis of the color temperature of the second image; and outputting the white-balance-processed second image as a sensed image sensed by the image sensor in response to the image sensing designation of the image sensing instruction unit, wherein the first image is sensed by the image sensor in a period between the image sensing designation and the emission of the flash light."*

In regard to dependent **Claims 7, 30 and 32**, these claims are allowed because they depend on allowed independent claim 1.

With regard to independent **Claim 15**, the closest prior art of record fails to teach or disclose *"A controller for an image sensing apparatus, which has an image sensor, a flash light used to illuminate an object with light, and an image sensing instruction unit, comprising: a storage unit which stores a first image sensed by the image sensor; an image sensing controller which controls to sense a second image while causing the flash light to emit light in response to an image sensing designation by the image sensing instruction unit; a brightness calculation unit which calculates a brightness of the first image and a brightness of the second image; a color temperature calculation unit which calculates a color temperature of light illuminated when sensing the second image on the basis of color temperature of external light illuminated when sensing the first image, the brightness of the first image and the brightness of the second image; a processor unit which performs white balance processing for the second image on the basis of the color temperature of the second image; and an output unit which outputs the white-balance-processed second image as a sensed image sensed by the image sensor in response to the image sensing designation of the image sensing instruction unit, wherein the first image is sensed by the image sensor in a period between the image sensing designation and the emission of the flash light."*

In regard to dependent **Claims 21, 31 and 33**, these claims are allowed because they depend on allowed independent claim 15.

The following are the closest references found:

Kitajima (US Patent No.: 5808681) discloses that in each optional area of an object to be photographed, image data obtained when a strobe (10) flashes a light and a CCD (3) is exposed to light from the object is compared with image data obtained when the CCD (3) is exposed to light from the object without flashing a light from the strobe by a data processing section 6. A CPU (12) then determines how much the light of the strobe contributes to photography in the each area which has been compared. After that, the CPU (12) suitably selects either a white balance control value given when the strobe does not flash a light or a predetermined white control value given when the strobe flashes a light and performs final white balance control. Both of the values are determined based on sensor data transmitted from a color measuring sensor (9) or based on an image signal transmitted from the CCD (3).

Abe (US Patent No.: 5568194) discloses that in an exposure condition when an electronic flash is to be used, i.e., an aperture value and a shutter speed, is determined based on a photometry value. Under the exposure condition, a photographing operation is carried out without use of the electronic flash, and image data obtained by this photographing operation are stored in a first image memory. Further, another

photographing operation is carried out with use of the electronic flash, and image data obtained by this photographing operation are stored in a second image memory. The image data stored in the first and second image memories are read out and the luminance signals of corresponding pixels are compared. When the difference between the luminance signals is large, the white balance adjustment is performed based on electronic flash light. When the difference between the luminance signals is small, the white balance adjustment is performed based on the ambient daylight.

Tseng (US Patent No.: 6529235B1) discloses a digital camera provided with an auto white balance apparatus and an auto white balance method with a strobe. The digital camera has an image sensor for capturing external images and a flash module. The flash module stops flashing when a first voltage signal representing a detected brightness of the flash module is larger than a reference voltage signal. An exposure time is determined based on brightness of the image captured by the image sensor. The flash module detects brightness based on the exposure time for establishing a second voltage signal. A white balance adjustment is performed based on a ratio of the reference voltage signal and the second voltage signal.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pritham Prabhakher whose telephone number is 571-270-1128. The examiner can normally be reached on M-F (7:30-5:00) Alt Friday's Off.

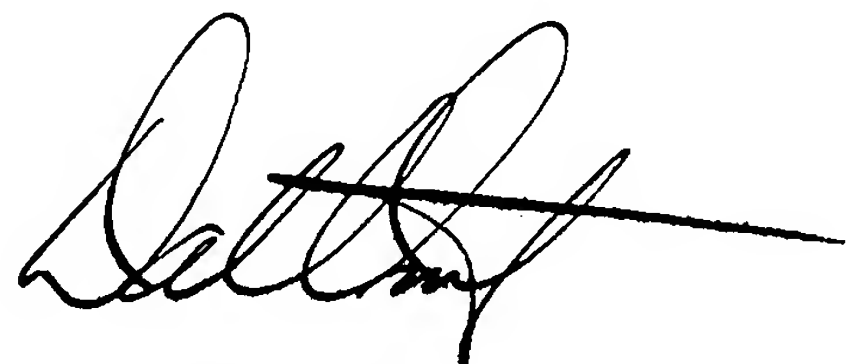
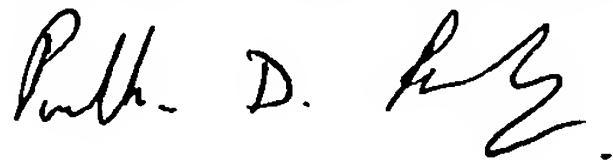
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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DAVID OMETZ
SUPERVISORY PATENT EXAMINER